

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Commission Request for Comments)	
On Its Proposed Modifications to)	
Rules Governing the Exchange of)	CG Docket No. 02-386
Customer Account Information Between)	
Local and Long Distance Carriers)	
)	
)	
)	FCC Docket No. 05-2266
)	

COMMENTS OF THE TEXAS OFFICE OF PUBLIC UTILITY COUNSEL

The Texas Office of Public Utility Counsel, (“Texas OPC”), offers these initial comments, pursuant to the Federal Communications Commission’s (“Commission” or “FCC”) request for comment on its proposed rules governing the exchange of customer account information between local exchange carriers (LEC) and inter-exchange carriers (IXC). Texas OPC represents the interests of residential and small commercial telephone customers before the Public Utility Commission of Texas, state and federal courts and the FCC. These comments address Texas OPC’s views related to the proposed modifications that were, in part, brought about due to a compromise proposal filed with the Commission by a coalition of IXC’s and LEC’s, including AT&T, MCI, Sprint, BellSouth, Qwest, SBC and Verizon (Coalition).

Texas OPC, having reviewed the proposed changes, supports these changes as presented by the Commission in its August 9, 2005 Public Notice.

Texas OPC notes that these minimum standards should make it easier for consumers to make changes in LEC to LEC migrations and/or IXC to IXC migrations. It is imperative that any customer changes be not only easy to accomplish but ensure that the affected carriers are timely notified of the requested customer change. This is necessary to reduce the chances of slamming and cramming by carriers. Thus, if a communication mechanism can be put into place that facilitates the exchange of information between carriers rather than the customer having to make multiple calls to reflect his/her choice(s), it would be better for customer choice and competition overall in Texas markets.

It should be noted that the Public Utility Commission of Texas has instituted customer migration guidelines under P.U.C. Substantive Rule §26.131 which have been in place since 2003 after a lengthy collaborative process with in-state carriers. Texas OPC requests that the proposed FCC rules not preempt this state's guidelines and requirements as these measures have provided a procedural roadmap in customer migration issues. In Texas, these rules are currently employed and are subject to administrative review and modification through the state rulemaking process. However, adoption of minimum, enforceable standards as proposed by the Commission that may be augmented by more restrictive and protective subsequent state regulations, if necessary, should aid all states in maintaining competitive markets.

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Respectfully submitted,

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